CITY OF CONCORD

In the year of our Lord two thousand and sixteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALES AGREEMENT WITH RYAN W. KIBBEE AND KATE W. ACKERSON FOR THE SALE OF A +/- 1,200 SQUARE FEET CITY LOT IDENTIFIED BY MBL 52/7/14 SAID LOT'S LAND TO BE INCORPORATED INTO A RESIDENTIAL LOT AT 126 LIBERTY STREET IDENTIFIED BY MBL 52/7/1.

The City of Concord resolves as follows:

WHEREAS, the City of Concord has owned a parcel of land identified by City Map, Block, Lot (MBL) number 52/7/14 since 1933; and

WHEREAS, Ryan W. Kibbee and Kate Ackerson own an abutting residential property at 126 Liberty Street; and

WHEREAS, it was discovered in 2016 that Mr. Kibbee's and Ms, Ackerson's property has several encroachments onto the City's lot including a portion of their driveway as well as a fence; and

WHEREAS, Mr. Kibbee and Ms. Ackerson were unaware of the encroachments when they purchased their home in 2014 and only discovered the matter upon asking the City to confirm its property line in 2016; and

WHEREAS, removal of the encroachments would significantly impact Mr. Kibbee's and Ms. Ackerson's property at 126 Liberty Street resulting in the loss of nearly half of their driveway; and

WHEREAS, Mr. Kibbee and Ms. Ackerson have agreed to acquire the land in question from the City for $600 contingent upon their retaining a licensed NH land surveyor and successfully submitting an application to the Planning Board for a lot line adjustment/subdivision to legally incorporate the land into their residential lot and prepare a quitclaim deed. Mr. Kibbee and Ms. Ackerson will cover any and all fees, charges and taxes associated with this transaction; and

NOW, THERFORE, BE IT RESOLVED by the City Council of City of Concord that:

1. The City Manager is authorized to enter into a Purchase and Sales Agreement to sell a +/- 1,200 s.f. City lot identified by MBL 52/7/14 to Mr. Ryan W. Kibbee and Ms. Kate W. Ackerson for the purposes of resolving an encroachment posed by their property at 126 Liberty Street (MBL 52/7/1) under the terms outlined herein.

2. This resolution shall take effect upon its passage.